UNITED STATES DISTRICT COURT

for the

__Western__   District of __Virginia__

United States of America	)	
v.	)	
	)	Case No: 7:94CR40106-019
Timothy Bakhari Motley	)	USM No: 04938-084
Date of Previous Judgment: May 15, 1995	)	
(Use Date of Last Amended Judgment if Applicable)	)	Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED.   ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____432_____ months **is reduced to** _____422*_____ .

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	29	Amended Offense Level:	27
Criminal History Category:	V	Criminal History Category:	V
Previous Guideline Range:	140 to 175 months	Amended Guideline Range:	120 to 150 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

III. ADDITIONAL COMMENTS

* Defendant's total term of imprisonment of 422 months consists of 122 months as to counts 1, 19, 25, 27, 28, 29, 31, 33, and 40 to be served concurrently; 60 months as to count 32 to run consecutively; and 240 months as to count 34 to run consecutively. Furthermore, all of Defendant's imprisonment time is to run concurrently with his state sentence, as per the original judgment.

Except as provided above, all provisions of the judgment dated __May 15, 1995__ shall remain in effect.

IT IS SO ORDERED.

Order Date: __3-25-08__

Effective Date: __March 3, 2008 · 4-7-08__
(if different from order date)

_____
Judge's signature

Senior United States District Judge Jackson L. Kiser
Printed name and title